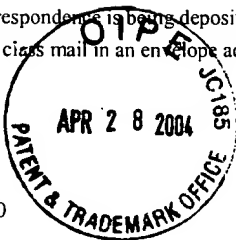


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**PATENT**  
Attorney Docket No.: 019930-005600US  
Client Ref. No. A1309

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



On

April 26, 2004

TOWNSEND and TOWNSEND and CREW LLP

By Kevin L. McNeill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Larry Fabiny

Application No.: 09/992,849

Filed: November 12, 2001

For: HIGH-EFFICIENCY LOW-  
POLARIZATION-DEPENDENT-LOSS  
LAMELLAR DIFFRACTION-GRATING  
PROFILE AND PRODUCTION  
PROCESS

Examiner: Lavarias, Arnel C.

Art Unit: 2872

CHANGE IN STATUS

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant no longer claims the benefit of small entity status. The issue fee transmittal has been corrected to reflect the change in status.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patrick M. Boucher".

Patrick M. Boucher  
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (303) 571-4000  
Fax: (393) 571-4321  
PMB/nlm



|   |  |                        |                    |
|---|--|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |  | Application Number     | 09/992,849         |
|   |  | Filing Date            | November 12, 2001  |
|   |  | First Named Inventor   | Fabiny, Larry      |
|   |  | Art Unit               | 2872               |
|   |  | Examiner Name          | Lavarias, Arnel C. |
| Total Number of Pages in This Submission  |  | Attorney Docket Number | 019930-005600US    |

| ENCLOSURES (Check all that apply)  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Part B - Issue Fee Transmittal Change in Status Return Postcard |
| Remarks  |  | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual                         | Townsend and Townsend and Crew LLP<br>Patrick M. Boucher<br>Reg. No. 44,037 |
| Signature                                  |   |
| Date                                       | April 26, 2004  |

| CERTIFICATE OF TRANSMISSION/MAILING  |                 |      |                |
|--|-----------------|------|----------------|
| I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                 |      |                |
| Typed or printed name  | Nina L. McNeill |      |                |
| Signature  |                 | Date | April 26, 2004 |